

**IN UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

TODD JANSON, et al., on behalf of)	
themselves and on behalf of all others)	
similarly situated,)	
)	
)	
Plaintiffs,)	
)	
v.)	Case No. 2:10-cv-04018-NKL
)	
LEGALZOOM.COM, INC.)	
)	
)	
Defendant.)	

**PLAINTIFFS’ MOTION TO STRIKE LEGALZOOM’S SUMMARY-
JUDGMENT FACTS 45 THROUGH 79**

Under Rule 56(c)(2) of the Federal Rules of Civil Procedure, a party may object that the material cited to support or dispute a fact cannot be presented in a form that would be admissible in evidence. In support of its summary-judgment motion, LegalZoom submitted 79 facts. LegalZoom purports to support some of these facts, the facts numbered 45 through 79, by citing material from the record that cannot be presented in a form that would be admissible in evidence.

More particularly:

- Facts 45 through 59 cannot be presented in a form that would be admissible in evidence because they are not relevant, and because LegalZoom did not disclose them;
- Facts 60 through 68 cannot be presented in a form that would be admissible in evidence because they are an expert’s legal opinions, and because they are not relevant;
- Facts 69 through 75 cannot be presented in a form that would be admissible in evidence because they are not relevant, and because LegalZoom did not disclose them; and

- Facts 76 through 79 cannot be presented in a form that would be admissible in evidence because they are not facts, instead, they are simply secondary legal authority.

Therefore, as authorized by Rule 56(c)(2), Plaintiffs object that the material cited to support LegalZoom's facts numbered 45 through 79 cannot be presented in a form that would be admissible in evidence. Plaintiffs move for the Court to enter an order striking these facts from LegalZoom's summary-judgment motion.

In support of this motion, Plaintiffs' concurrently file suggestions in support, which is adopted by reference.

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Certificate of Service

I certify that on May 12, 2011, I filed the foregoing with the Clerk of the Court using the CM/ECF system. The system sent notification of this filing to the following:

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